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RESOLUTION 2015-17

RESOLUTION OF FURTHER STATEMENT OF INTENT FOR ADOPTION OF RESOLUTION OF ANNEXATION OF THE STURGIS BROWN HIGH SCHOOL PROPERTY AND SURROUNDING AREA

WHEREAS, the Meade 46-1 School District have filed a Petition for Annexation with the City of Sturgis; and

WHEREAS, said Petition states that Meade 46-1 School District owns at least $\frac{3}{4}$ of the total value of the property, and that Meade 46-1 School District constitutes $\frac{3}{4}$ or more of the registered voters residing within the boundaries of the property requested to be annexed; and

WHEREAS, said real property set forth in the Petition is contiguous to the City of Sturgis; and

WHEREAS, the current use is Sturgis Brown High School campus and all facilities adjoining open spaces; and,

WHEREAS, the proposed land use in the future may include enhanced outdoor recreation use and limited residence and commercial use. Size of parcel (s): 461.12 acres of land, more or less. Existing Land Use: Educational purposes; and,

WHEREAS, the Sturgis Common Council met in a Special meeting on February 12, 2015 to approve the annexation of the property in questions by adopting resolution 2015-16; and,

WHEREAS, the property in question is immediately adjacent to the existing municipal limits of the City of Sturgis and immediately adjacent to the existing City of Sturgis wastewater lagoons and that the property in question lies in between the City of Sturgis lagoons and the previous municipal limits of the City of Sturgis; and,

WHEREAS, the current use of the subject property is the City of Sturgis Wastewater facility and three lagoon structures which are all an integral part of the safe operation of the City wastewater system; and,

WHEREAS, the operation of said wastewater facility is regulated by the State of South Dakota to ensure protection of the public health of residents as well as to protect the critical groundwater resources of state; and,

WHEREAS, the City of Sturgis is also authorized to take measures to protect groundwater resources by the authority of SDCL 9-12-17; and,

WHEREAS the City of Sturgis is also authorized by the authority of SDCL 9-48-2 to operate a system of sewers and a wastewater facility to protect the health and safety of the community; and,

WHEREAS the City of Sturgis is further authorized by the authority of SDCL 9-32-8 to extend its protection of the public water supply of its residents to areas within one mile of the boundaries of the City; and,

WHEREAS, SDCL 9-19-13 authorizes Councils to adopt resolutions which take effect immediately when the adoption of such a resolution is for the “immediate preservation of public health...and support of the municipal government and its existing public institutions...”; and,

WHEREAS, the City is currently in negotiations with the Bureau of Land Management to make needed repairs to the existing City of Sturgis wastewater facility, lagoons and adjoining areas and that these existing lagoons are necessary for the protection of the health of the residents of Sturgis; and,

WHEREAS, the existing lagoons are located outside the municipal limits of the City of Sturgis which may lead to additional regulatory burdens and requirements from other agencies as long as the infrastructure is located outside of the municipal limits of the City of Sturgis.

Fay Bueno, Finance Officer